

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,)	
)	8:10CR80
Plaintiff,)	
)	
vs.)	FINDINGS AND
)	
ROSAURA CARRILLO-VELASQUEZ,)	RECOMMENDATION
)	
Defendant.)	ON GUILTY PLEA

On November 15, 2010, defendant Rosaura Carrillo-Velasquez (Carrillo-Velasquez), together with her counsel, Basel F. El-Kasaby, appeared before the undersigned magistrate judge and was advised of the charges, the penalties and the right to appear before a United States District Judge. Laura Garcia-Hein, a certified interpreter in the Spanish language, served as the interpreter. After orally consenting to proceed before a magistrate judge, Carrillo-Velasquez entered a plea of guilty to Count II of the Indictment.

After being sworn, Carrillo-Velasquez was orally examined by the undersigned magistrate judge in open court as required by Federal Rule of Criminal Procedure 11. Carrillo-Velasquez also was given the advice required by that Rule. Finally, Carrillo-Velasquez was given a full opportunity to address the court and ask questions.

Counsel for the government and counsel for Carrillo-Velasquez were given the opportunity to suggest additional questions by the court. Moreover, both counsel orally certified that they were of the opinion that the plea was knowing, intelligent and voluntary, and that there was a factual basis for Carrillo-Velasquez's plea of guilty to Count II of the Indictment.

Therefore, I find and conclude that: (1) the plea is knowing, intelligent, and voluntary; (2) there is a factual basis for the plea; (3) the provisions of Rule 11 and any other provisions of the law governing the submission of guilty pleas have been complied with; (4) a petition to enter a plea of guilty, on a form approved by the court, was completed by Carrillo-Velasquez, Carrillo-Velasquez's counsel and counsel for the government, and such petition was placed in the court file; and (5) there was no plea agreement in this case.

The government stated that the government will proceed to trial with Counts I and III of the Indictment despite Carrillo-Velasquez's plea to Count II.

IT IS RECOMMENDED TO JUDGE LAURIE SMITH CAMP that:

She not accept the guilty plea and proceed to trial on all counts of the Indictment as to Carrillo-Velasquez.

ADMONITION

Pursuant to NECrimR 59.2 any objection to this Findings and Recommendation shall be filed with the Clerk of the Court within fourteen (14) days after being served with a copy of this Findings and Recommendation. Failure to timely object may constitute a waiver of any such objection. The brief in support of any objection shall be filed at the time of filing such objection. Failure to file a brief in support of any objection may be deemed an abandonment of the objection.

DATED this 15th day of November, 2010.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge